

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRY NELSON : CIVIL ACTION
[GT-4393] :
 :
 :
 v. :
 :
 :
 MICHAEL D. KLOPOTOSKI, et al., : NO. 09-CV-6025

ORDER

AND NOW, this 19 day of April, 2012, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, *and objections thereto*, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **APPROVED and ADOPTED**.
2. The Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254, is **DENIED and DISMISSED WITHOUT PREJUDICE FOR FAILURE TO EXHAUST STATE COURT REMEDIES**.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:


BERLE M. SCHILLER, J.